

Contact: Joan Racki

IOWA STATE UNIVERSITY EMERGENCY CONTRACTING AUTHORIZATION

Action Requested: Consider recommending to the Board ratification of the Executive Director's actions related to the utilization of capital project delivery and purchasing processes as described in this memorandum and attachments to restore Sweeney Hall to its pre-fire conditions and return it to service as soon as possible.

Executive Summary: On May 30, 2014, a fire occurred in the penthouse area of Sweeney Hall. The fire destroyed the roof and portions of the south wall of the penthouse and impacted mechanical and electrical building systems serving the building. There was smoke and water damage throughout the building, impacting building finishes, mechanical and electrical equipment, laboratory equipment, and office furnishes and equipment.

On June 4, 2014, Executive Director Donley received a letter from Iowa State University Senior Vice President for Business and Finance, Warren Madden, requesting authorization to utilize identified capital project delivery and purchasing processes to restore Sweeney Hall to its pre-fire condition and to return it to service as soon as possible. (See Attachment A.) Executive Director Donley made a finding of the need to institute emergency procedures under Iowa Code subsection 262.34.2 (see below) and authorized the use of the requested capital project and purchasing processes. (See Attachment B.) The Committee is asked to recommend to the Board ratification of the Executive Director's actions.

Background: In 2009, the following subsection (subsection 2) was added to Iowa Code 262.34.

Notwithstanding subsection 1 [competitive bidding requirements], when a delay in undertaking a repair, restoration, or reconstruction of a public improvement might cause serious loss or injury at an institution under the control of the state board of regents, the executive director of the board, or the board, shall make a finding of the need to institute emergency procedures under this subsection. The board by separate action shall approve the emergency procedures to be employed.



Office of the Senior Vice President
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1350 Beardshear Hall
Ames, Iowa 50011-2038
515 294-6162
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June 4, 2014

Robert Donley
Executive Director
Board of Regents, State of Iowa
11260 Aurora Avenue
Urbandale, IA 50322

SUBJECT: Sweeney Hall Fire Recovery Plan

Dear Mr. Donley:

Iowa State University seeks immediate temporary emergency-based authorizations and waivers to several capital and procurement processes to allow it to deliver critically needed fire recovery work in Sweeney Hall in an expedited time frame.

On May 30, 2014, a fire occurred in the Penthouse area of Sweeney Hall. The fire destroyed the roof and portions of the south wall of the Penthouse and impacted mechanical and electrical building systems serving the building. There was smoke and water damage throughout the building impacting building finishes, mechanical and electrical equipment, laboratory equipment, and office furnishings and equipment. The assessment of the damage in the building is ongoing.

It is critical that Sweeney Hall be restored to pre-fire conditions and returned to service as soon as possible. It is also critical that teaching, research and administrative activities be reestablished at prior activity levels to meet faculty, staff and student needs and commitments.

The recovery of the building can be significantly accelerated by use of the project delivery and purchasing processes proposed below. These delivery methods will require ISU Administrative endorsement and Board of Regents authorization. Additionally, the proposed delivery method will need to be reviewed and coordinated with the insurance requirements as they are known to assure that any recovery of costs is not jeopardized.

Restoring the integrity of the building enclosure at the Penthouse level to protect the building and its contents is critical. Because of the critical time frames, schedule constraints do not allow the scope of the project to be defined accurately and construction documents produced for bid before the construction must start. To accomplish the work to restore the building enclosure, as well as any other critical work that may be required, the university proposes to make direct awards to contractors who have experience on campus, are familiar with campus

construction standards and processes, and have the capacity to begin this work immediately. Plans and specifications can be minimized for this work and replaced by basic scope

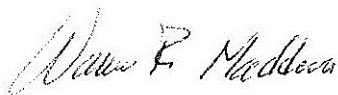
statements, marked archival drawings, and contractor walk-throughs of affected spaces. Pricing for this work will be negotiated with the contractors performing the work. Most or all of these contracts are anticipated to cost less than \$100,000.

Competitive purchasing processes or the use of time and material and other service contracts that are in place will be utilized for less critical work items. Work to restore the operation of the building mechanical and electrical systems is primarily being accomplished with university facilities staff with the assistance of contract vendors when needed.

In order to resume operations, clean, recondition or replace supplies, materials and equipment to meet teaching and research schedules, competitive bidding or normal quotation process may need to be waived or modified.

The Board Office will be kept apprised of the firms selected and construction contract awards and procurement processes.

Sincerely,

A handwritten signature in cursive script, appearing to read "Warren R. Madden".

Warren R. Madden
Senior Vice President for Business and Finance

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Robert Donley, Executive Director

June 6, 2014

Warren R. Madden
Senior Vice President for Business and Finance
Iowa State University
1350 Beardshear Hall
Ames, IA 5011-2038

Dear Mr. Madden:

I am in receipt of your letter of June 4, 2014, detailing the University's request to utilize the capital project delivery and purchasing processes as outlined in your letter to restore Sweeney Hall to its pre-fire conditions and return it to service as soon as possible.

Under the provisions of *Iowa Code 262.34*, I make a finding of the need to institute emergency procedures for the repair, restoration, reconstruction and re-equipping, as needed, of Sweeney Hall.

It is understood that the procedures outlined in your letter are subject to Board ratification and the request for this ratification will be included on the agenda for the August 2014 Board meeting.

Sincerely,



Robert Donley